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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,810	09/30/2003	Philippe Jouen	S1022.80938US01	2225

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EXAMINER

MIS, DAVID C

ART UNIT PAPER NUMBER

2817

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/675,810

**Applicant(s)**

JOUEN ET AL.

**Examiner**

David Mis

**Art Unit**

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-26 is/are allowed.
- 6) ☒ Claim(s) 27-32, 35-41 and 44 is/are rejected.
- 7) ☒ Claim(s) 33, 34, 42, 43 and 45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 0519, 0722.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 27-31, 35 and 36 are rejected under 35 U.S.C. 102(a.) as being clearly anticipated by Matsuno.

Matsuno disclosed a method of operating a PLL (title) comprising a VCO (24) controlled by a control signal (control voltage 1), comprising monitoring a value of the control signal (26) and inhibiting the PLL (figures 3, 9) if the monitored value of the control signal is outside a predetermined range of values (figures 2, 7, 8, MONITOR OUTPUT i); first and second reference values for inhibiting the PLL (column 4, line 58 – column 5, line 8; figures 2,

7, 8); first reference value greater than the second reference value (column 4, lines 9-19; figures 2, 7, 8); PLL comprises comparison circuit (21) and inhibiting the PLL comprises inhibiting the comparison circuit (figures 3, 9; comparison difference signals; OR1 and OR2; MONITOR OUTPUT i); opening of the PLL (figures 2, 3, 7-9; column 5, lines 9-21).

4. Claims 27-30, 32, 35, 37-41 and 44 are rejected under 35 U.S.C. 102(b.) as being clearly anticipated by Yokogawa et al.

Yokogawa et al disclosed a method of operating a PLL (title) comprising a VCO (11) controlled by a control signal (from 10) comprising monitoring a value of the control signal (24, 25) and inhibiting (21) the PLL if the monitored value of the control signal is outside a predetermined range of values (24-26, column 9, lines 27-36); first and second reference values ( $V_a + V_b$  and  $V_a - V_b$ ) inhibiting (21) the PLL (column 9, lines 2-13 and 27-36); ( $V_a + V_b$ ) being greater than ( $V_a - V_b$ ); sampling a value of the control signal (22) in addition to monitoring (24, 25); opening the PLL (21); inhibiting (21) the PLL prior to sampling (22) the value of the control signal (from 10) for a predetermined periodical amount of time (column 9, lines 37-44); inhibiting performed periodically (SAMPLING SIGNAL, 22 → 27 → 24

and 25 → 26 → 21) at the same (SAMPLING SIGNAL) frequency as sampling; opening the PLL (21).

5. Claim 33, 34, 42, 43 and 45 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Mis whose telephone number is (571)272-1765. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Mis  
Primary Examiner  
Art Unit 2817